

UNITED STATES DISTRICT COURT

Southern

District of

New York

NIPPONKOA INSURANCE COMPANY, LTD.,

SUMMONS IN A CIVIL ACTION

V.

TOTAL TERMINALS INTERNATIONAL LLC, and  
TRANSBAY CONTAINER TERMINAL, INC.

CASE NUMBER:

07 CIV. 5637

TO: (Name and address of Defendant)

TOTAL TERMINALS INTERNATIONAL, LLC  
2505 Middle Harbor Rd. Oakland, CA 94607

TRANSBAY CONTAINER TERMINAL, INC.  
2500 7th Street, Oakland, CA 94607

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

MALOOF BROWNE & EAGAN LLC  
411 Theodore Fremd Ave, Suite 190  
Rye, NY 10580

an answer to the complaint which is served on you with this summons, within \_\_\_\_\_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

*J. Michael McMahon*  
CLERK

JUN 13 2007

DATE

CLERK

(By) DEPUTY CLERK

DAVID T. MALOOF (DM 3350)  
THOMAS M. EAGAN (TM 1713)  
MALOOF BROWNE & EAGAN LLC  
411 Theodore Fremd Avenue – Suite 190  
Rye, New York 10580  
Telephone: 914/921-1200

Attorneys for Plaintiff Nipponkoa Company Ltd.

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE SOUTHERN DISTRICT OF NEW YORK**

NIPPONKOA INSURANCE COMPANY LTD.,

Plaintiff,

vs.

TOTAL TERMINALS INTERNATIONAL LLC, et al.,  
Defendant(s).

Case No.: 07 CV 5637

**PROOF OF SERVICE**

I, Tony Klein, declare:

I am a Registered Process Server and was retained to serve process in the above-referenced matter on the following person or entity. I was on the dates herein mentioned over the age of eighteen years and not a party to the above-entitled action. I am authorized to serve legal process in the State of California. The following facts are within my personal knowledge and if sworn as a witness I can and will truthfully and competently testify thereto.

I delivered a copy of the **Summons & Complaint** to:

**PARTY SERVED:**

**TOTAL TERMINALS INTERNATIONAL LLC**

**ADDRESS:**

**2505 Middle Harbor Rd.  
Oakland, CA 94607**

**DATE/  
TIME:**

**June 19, 2007  
3:03 PM**

**MANNER OF  
SERVICE:**

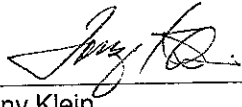
☒ Personal Service  
☐ Substituted Service

by delivery to EARL LONG, Security Guard (Black, male, 5'9", 190 lbs., short s/p hair, 60 yrs old).

Note: This is a secured area and the person served stated that he was authorized to accept service.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct and this declaration is executed on June 19, 2007 at San Francisco, California.

**LegalEase, Inc.  
139 Fulton Street  
New York City, NY 10038  
212/292-9070**

  
Tony Klein

**PROOF OF SERVICE**

DAVID T. MALOOF (DM 3350)  
THOMAS M. EAGAN (TM 1713)  
MALOOF BROWNE & EAGAN LLC  
411 Theodore Fremd Avenue – Suite 190  
Rye, New York 10580  
Telephone: 914/921-1200

Attorneys for Plaintiff Nipponkoa Company Ltd.

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE SOUTHERN DISTRICT OF NEW YORK**

NIPPONKOA INSURANCE COMPANY LTD.,

Plaintiff,

vs.

TOTAL TERMINALS INTERNATIONAL LLC, et al.,  
Defendant(s).

Case No.: 07 CV 5637

**PROOF OF SERVICE**

I, Tony Klein, declare:

I am a Registered Process Server and was retained to serve process in the above-referenced matter on the following person or entity. I was on the dates herein mentioned over the age of eighteen years and not a party to the above-entitled action. I am authorized to serve legal process in the State of California. The following facts are within my personal knowledge and if sworn as a witness I can and will truthfully and competently testify thereto.

I delivered a copy of the **Summons & Complaint** to:

**PARTY SERVED:** **TRANSBAY CONTAINER TERMINAL, INC.**

**ADDRESS:** **2500 – 7<sup>th</sup> Street  
Oakland, CA 94607**

**DATE/  
TIME:** **June 19, 2007  
2:44 PM**

**MANNER OF  
SERVICE:**

☒ Personal Service  
☐ Substituted Service

by delivery to SARGEANT MARSHALL, Security Guard Supervisor (Black, female, 5'5", 145 lbs., red braided hair, 50 years old).

Note: This is a secured area and the person served stated that She was authorized to accept service.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct and this declaration is executed on June 19, 2007 at San Francisco, California.

LegalEase, Inc.  
139 Fulton Street  
New York City, NY 10038  
212/292-9070

  
Tony Klein

**PROOF OF SERVICE**